## Merchant & Gould

An Intellectual Property Law Firm RECEIVED TEL 612,332,5300

3200 IDS Center 80 South Eighth Street Minneapolis, Minnesota

FAX 612.332.9081

JUN 28 2002 www.merchant-gould.com

GROUP 1600

A Professional Corporation

Fax Transmission

June 27, 2002 OFFICIAL

Commissioner for

**Patents** 

TO:

Attn: Examiner C. Delacroix Murihei

Patent Examining Corps

Facsimile Center

Washington, D.C. 20231

FROM:

Wendy M. Seffrood

OUR REF: 163.1406US01 TELEPHONE: 612.336.4769

Total pages, including cover letter: 7

PTO FAX NUMBER 1-703-872-9307

If you do NOT receive all of the pages, please telephone us at 612.336.4766, or fax us at 612.332.9081.

Title of Document Transmitted:

Amendment Under 37 CFR 1.116

Applicant:

Richter et al.

Serial No.:

09/676,620

Filed:

October 2, 2000

Group Art Unit:

1614

Our Ref. No.:

163.1406U\$<u>01</u>

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.



FAX RECEIVED

RESPONSE UNDER 37 C.F.R. 1.116 EXPEDITED PROCEDURE **EXAMINING GROUP 1614** 

GROUP 1600

S/N 09/676,620

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Richter et al.

Examiner:

C. Delacroix Muirhei

Serial No.:

09/676,620

Group Art Unit:

1614

Filed:

Docket No.:

163.1406US01

Title:

October 2, 2000

ANTIMICROBIAL COMPOSITIONS FORMULATED FOR USE IN

COLD TEMPERATURE CONDITIONS AND METHODS OF USE

THEREOF

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being transmitted via facsimile to: Commissioner for Patents, Washington, D.C. 20231 on June 27, 2002.

## AMENDMENT UNDER 37 C.F.R. § 1.116

Box AF Commissioner for Patents Washington, D.C. 20231

<u>VIA FACSIMILE</u> TC1600 703-872-9307

Dear Sir:

In response to the Office Action mailed March 27, 2002, please consider the following amendments and remarks to this application.

## In the Claims

Please cancel claims 4, 18 and 26 without prejudice.

Please amend claims 1 and 19 as follows:

(ONCE AMENDED) An antimicrobial composition comprising: 1. in the range of 0.01 to 5 wt. % of a C6-C12 fatty acid; and a carrier medium including a freezing point depressant component, wherein the freezing point depressant component: